

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	CASE NO. 4:19 CR 334-04
)	
Plaintiff)	JUDGE SOLOMON OLIVER, JR.
)	
v.)	ORDER ACCEPTING PLEA
)	AGREEMENT, JUDGMENT AND
DONALD ROGER PHILLIPS,)	REFERRAL TO U.S. PROBATION
)	<u>OFFICE</u>
Defendant)	

This case is before the Court on a Report and Recommendation filed by United States Magistrate Judge Thomas M. Parker, regarding the change of plea hearing of Donald Roger Phillips, which was referred to the Magistrate Judge with the consent of the parties.

On May 29, 2019, the government filed a 5 count Indictment, charging Defendant Donald Roger Phillips in count 5 with Possession of a Firearm and Ammunition by a Person Convicted of Misdemeanor Crime of Domestic Violence, in violation of Title 18 U. S. C. Section 922(g) (9). Defendant Phillips was arraigned on June 7, 2019, and entered a plea of not guilty to count 5 of the Indictment. On September 13, 2019 Defendant Phillips entered a plea of guilty as to count 5, and Magistrate Judge Parker issued a Report and Recommendation (“R&R”), concerning whether the plea should be accepted and a finding of guilty entered.

Neither party submitted objections to the Magistrate Judge’s R&R in the fourteen days after it was issued.

On de novo review of the record, the Magistrate Judge’s R&R is adopted. Defendant Phillips is found to be competent to enter a plea and to understand his constitutional rights. He is aware of the charges and of the consequences of entering a plea. There is an adequate factual basis

for the plea. The court finds the plea was entered knowingly, intelligently, and voluntarily. The plea agreement is approved.

Therefore, Defendant Phillips is adjudged guilty to counts 5 of the Indictment, in violation of Title 18 U. S. C. Section 922(g)(9). This matter was referred to the U. S. Probation Department for the completion of a pre-sentence investigation and report. Sentencing will be on December 18, 2019, at 11:00 a.m. in Courtroom 17A, Carl B. Stokes United States Court House, 801 West Superior Avenue, Cleveland, Ohio.

IT IS SO ORDERED.

/s/SOLOMON OLIVER, JR.
UNITED STATES DISTRICT JUDGE

October 1, 2019